

**United Nations Conference on Succession of States  
in respect of State Property, Archives and Debts**

Vienna, Austria  
1 March - 8 April 1983

**General Assembly resolutions**

Extract from Volume I of the *Official Records of the United Nations Conference on Succession of States in respect of State Property, Archives and Debts (Summary records of the plenary meetings and of the meetings of the Committee of the Whole)*

## RESOLUTIONS OF THE GENERAL ASSEMBLY CONCERNING THE CONFERENCE

### 36/113. United Nations Conference on Succession of States in respect of State Property, Archives and Debts

*The General Assembly,*

*Having considered* chapter II of the report of the International Law Commission on the work of its thirty-third session<sup>1</sup> which contains final draft articles and commentaries on succession of States in respect of State property, archives and debts,

*Noting* that the International Law Commission at its first session in 1949 listed succession of States and Governments among the topics of international law selected for codification, that at its fourteenth session in 1962, pursuant to General Assembly resolution 1686 (XVI) of 18 December 1961, it included the topic on its priority list and that at its fifteenth session in 1963 the Commission endorsed the objective of preparing draft articles on the topic,

*Recalling* that in its resolutions 1765 (XVII) of 20 November 1962, 1902 (XVIII) of 18 November 1963, 2045 (XX) of 8 December 1965, 2167 (XXI) of 5 December 1966, 2272 (XXII) of 1 December 1967, 2400 (XXIII) of 11 December 1968 and 2501 (XXIV) of 12 November 1969, the General Assembly recommended that the International Law Commission should continue the work of codification and progressive development of succession of States and Governments, taking into account the views expressed in the General Assembly and the comments submitted by Governments with appropriate reference to the views of States which have achieved independence since the Second World War,

*Recalling further* that, by its resolution 3496 (XXX) of 15 December 1975, the General Assembly decided to convene a conference of plenipotentiaries to consider the International Law Commission's draft articles on succession of States in respect of treaties and to embody the results of its work in an international convention and such other instruments as it might deem appropriate,

*Noting also* that the Vienna Convention on Succession of States in respect of Treaties<sup>2</sup> was adopted on 23 August 1978,

*Noting further* that, subsequent to the adoption of General Assembly resolution 2634 (XXV) of 12 November 1970, 2780 (XXVI) of 3 December 1971, 2926 (XXVII) of 28 November 1972, 3071 (XXVIII) of

30 November 1973, 3315 (XXIX) of 14 December 1974, 3495 (XXX) of 15 December 1975, 31/97 of 15 December 1976 and 32/151 of 19 December 1977, the International Law Commission, pursuant to General Assembly resolutions 33/139 of 19 December 1978, 34/141 of 17 December 1979 and 35/163 of 15 December 1980, completed at its thirty-third session its draft articles on succession of States in respect of State property, archives and debts,<sup>3</sup>

*Recalling* that, as stated in paragraph 86 of the report of the International Law Commission on the work of its thirty-third session, the Commission decided to recommend that the General Assembly should convene an international conference of plenipotentiaries to study the Commission's draft articles on succession of States in respect of State property, archives and debts and to conclude a convention on the subject,

*Mindful* of Article 13, paragraph 1 *a*, of the Charter of the United Nations, which provides that the General Assembly shall initiate studies and make recommendations for the purpose of encouraging the progressive development of international law and its codification,

*Believing* that the successful codification and progressive development of the rules of international law governing succession of States in respect of State property, archives and debts would contribute to the development of friendly relations and co-operation among States, irrespective of their differing constitutional and social systems, and would assist in promoting and implementing the purposes and principles set forth in Articles 1 and 2 of the Charter,

1. *Expresses its appreciation* to the International Law Commission for its valuable work on the question of succession of States in respect of State property, archives and debts, and to the Special Rapporteur on the topic for his contribution to this work;

2. *Decides* that an international conference of plenipotentiaries shall be convened to consider the draft articles on succession of States in respect of State property, archives and debts, and to embody the results of its work in an international convention and such other instruments as it may deem appropriate;

3. *Requests* the Secretary-General to convene the United Nations Conference on Succession of States in respect of State Property, Archives and Debts early in 1983 at a place to be determined by the General Assembly at its thirty-seventh session;

4. *Invites* Member States to submit, not later than 1 July 1982, their written comments and observations on the final draft articles on succession of States in respect of State property, archives and debts, prepared by the International Law Commission;

5. *Requests* the Secretary-General to circulate such comments so as to facilitate the discussion on the

<sup>1</sup> *Official Records of the General Assembly, Thirty-sixth Session, Supplement No. 10 (A/36/10 and Corr.1).*

<sup>2</sup> *Official Records of the United Nations Conference on Succession of States in Respect of Treaties*, vol. III, *Documents of the Conference* (United Nations publication, Sales No. E.79.V.10), p. 185.

<sup>3</sup> *Official Records of the General Assembly, Thirty-sixth Session, Supplement No. 10 (A/36/10 and Corr.1), chap. II, sect. D.*

subject at the thirty-seventh session of the General Assembly;

6. *Decides* to include in the provisional agenda of its thirty-seventh session an item entitled "United Nations Conference on Succession of States in respect of State Property, Archives and Debts".

*92nd plenary meeting  
10 December 1981*

**37/11. United Nations Conference on Succession of States in respect of State Property, Archives and Debts**

*The General Assembly,*

*Recalling* that, by its resolution 36/113 of 10 December 1981, it decided to convene a conference of plenipotentiaries in 1983 to consider the draft articles on succession of States in respect of State property, archives and debts, adopted by the International Law Commission at its thirty-third session,<sup>4</sup> and to embody the results of its work in an international convention and such other instruments as it might deem appropriate,

*Recalling further* that, in paragraph 1 of the same resolution, it expressed its appreciation to the International Law Commission for its valuable work on the question of succession of States in respect of State property, archives and debts, and to the Special Rapporteur on the topic for his contribution to that work,

*Believing* that the draft articles adopted by the International Law Commission at its thirty-third session represent a good basis for the elaboration of an international convention and such other instruments as may be appropriate on the question of succession of States in respect of State property, archives and debts,

*Taking note* of the report of the Secretary-General,<sup>5</sup> which contains the comments and observations submitted by a number of Member States in accordance with General Assembly resolution 36/113,

*Mindful* of Article 13, paragraph 1 *a*, of the Charter of the United Nations, which provides that the General Assembly shall initiate studies and make recommendations for the purpose of encouraging the progressive development of international law and its codification,

*Believing* that the successful codification and progressive development of the rules of international law governing succession of States in respect of State property, archives and debts would contribute to the development of friendly relations and co-operation among States, irrespective of their constitutional and social systems, and would assist in promoting and implementing the purposes and principles set forth in Articles 1 and 2 of the Charter,

*Noting with appreciation* that an invitation has been extended by the Government of Austria to hold the United Nations Conference on Succession of States in respect of State Property, Archives and Debts at Vienna,

1. *Decides* that the United Nations Conference on Succession of States in respect of State Property, Archives and Debts, referred to in General Assembly resolution 36/113, shall be held from 1 March to 8 April 1983 at Vienna;

2. *Requests* the Secretary-General to invite:

(a) All States to participate in the Conference;

(b) Namibia, represented by the United Nations Council for Namibia, to participate in the Conference, in accordance with paragraph 1 of General Assembly resolution 36/121 D of 10 December 1981;

(c) Representatives of organizations that have received a standing invitation from the General Assembly to participate in the sessions and the work of all international conferences convened under its auspices in the capacity of observer to participate in the Conference in that capacity, in accordance with Assembly resolutions 3237 (XXIX) of 22 November 1974 and 31/152 of 20 December 1976;

(d) Representatives of the national liberation movements recognized in its region by the Organization of African Unity to participate as observers, in accordance with General Assembly resolution 3280 (XXIX) of 10 December 1974;

(e) The specialized agencies and the International Atomic Energy Agency as well as interested organs of the United Nations and interested intergovernmental organizations to be represented by observers at the Conference;

3. *Refers* to the Conference, as the basic proposal for its consideration, the draft articles on succession of States in respect of State property, archives and debts adopted by the International Law Commission at its thirty-third session;

4. *Decides* that the languages of the Conference shall be the official and working languages of the General Assembly, its committees and its sub-committees;

5. *Requests* the Secretary-General to submit to the Conference all relevant documentation and recommendations relating to its methods of work and procedures and to arrange for the necessary staff, facilities and services which it will require, including the provision of summary records;

6. *Requests* the Secretary-General to arrange for the participation at the Conference, as an expert, of the former Special Rapporteur of the International Law Commission on the topic of succession of States in respect of matters other than treaties, if he is available.

*68th plenary meeting  
15 November 1982*

<sup>4</sup> *Ibid.*

<sup>5</sup> A/37/454 and Corr.1 and Add.1.